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**CALIFORNIA  
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**To:** County Superintendents  
School District Superintendents  
Charter School Principals

**From:** William L. Padia, Director  
Policy and Evaluation Division

**Subject:** Release of the Apportionment for the 2000-2001 Certificated Staff Performance Incentive Act Based on the Academic Performance Index

Ref. No. PED – Awards - 01 - 02

On Tuesday, October 9, 2001, the California Department of Education (CDE) posted on its web site ([www.cde.ca.gov/psaa/awards](http://www.cde.ca.gov/psaa/awards)) the list of schools receiving Certificated Staff Performance Incentive Act (AB1114) awards. This award, based on the Academic Performance Index (API), provides for cash awards to certificated staff in those schools who had a statewide API rank in deciles 1 - 5 in 1999 and who showed the greatest gain over twice their annual growth target in addition to other criteria.

We estimate that the funds will arrive in district offices in approximately two weeks. **Education Code Section 44652 requires the employing school district (not the CDE) to negotiate the individual teacher and other certificated staff award amounts with the exclusive representative of the bargaining unit of the teachers and other certificated staff.** Education Code Section 44652 also requires the State Superintendent of Public Instruction to notify the exclusive representatives of the teachers and other certificated staff in each eligible district of the availability of these funds at the time the awards are made. This notification was made in a letter to the bargaining representatives sent on August 20, 2001. A copy of that letter can be found at the CDE web site mentioned above.

In the event that the governing board and the exclusive representative of teachers and other certificated staff do not reach an agreement regarding the amount of the award or if the teachers and other certificated staff are not represented by an exclusive bargaining representative, all teachers and other certificated staff at the school shall receive a salary award amount that is equal to a percentage of their base salary that is determined by dividing the total amount awarded to a school by the sum of the annual base salaries for teachers and other certificated staff of the school.

Once negotiations have been completed, districts can make individual payment to the staff identified to receive the awards. State and federal income taxes apply to these awards. The district may not deduct administrative, indirect, or retirement benefit costs.

For more information on this award based on the API, please visit the CDE web site or contact Patrick Chladek, manager of the Awards Unit, or his staff at (916) 657-3810.